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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: STAHHMANN *et al.* Examiner: Unassigned DINGA, ROLAND
Serial No.: 10/643,203 Group Art Unit: 3732 3766
Filed: August 18, 2003 Docket No.: GUID.059PA
Title: ADAPTIVE THERAPY FOR DISORDERED BREATHING

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence and the papers, as described hereinabove, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 8, 2004.

By: Kelly S. Waltigney
Kelly S. Waltigney

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b))

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted either within three months of the filing date or before the first Office Action of the above-identified application. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2), and the 05 August 2003 Official Gazette Notice, only a copy of each foreign document or non-U.S. patent/application listed on the enclosed Form 1449 is provided.

Please note that any notations or markings on the attached documents do not reflect particular relevance, or lack thereof, to the present application, nor were they necessarily made by anyone affiliated with the prosecution of the present application.

App. Serial No. 10/643,203
Docket No. GUID.059PA
Information Disclosure Statement

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Applicants bring to the Examiner's attention commonly owned, co-pending U.S. Applications serial no. 10/269,611, filed Sept. 11, 2002, serial no. 10/309,770, filed Dec. 4, 2002, serial no. 10/309,771, filed Dec. 4, 2002, serial no. 10/642,998, filed Aug. 18, 2003, serial no. 10/643,154, filed Aug. 18, 2003, serial no. 10/643,006, filed Aug. 18, 2003, and serial no. 10/643,016, filed Aug. 18, 2003, which may be of interest.

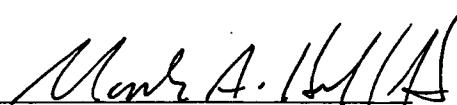
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

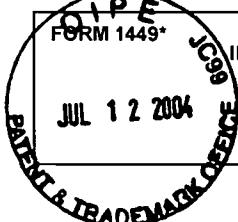
Respectfully submitted,

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Date: July 8, 2004

By:


Mark A. Hollingsworth
Reg. No. 38,491



INFORMATION DISCLOSURE STATEMENT			Docket Number: GUID.059PA	Application Number: 10/643,203
IN AN APPLICATION			Applicant: STAHHMANN et al.	
(Use several sheets if necessary)			Filing Date: 08/18/2003	Group Art Unit: 3762 3766

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/R.D./	6,641,542	11/04/2003	Cho et al.			
	6,574,507	06/03/2003	Bonnet			
	6,459,929	10/01/2002	Hopper et al.			
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	5,549,655	08/27/1996	Erickson			
	5,522,862	06/04/1996	Testerman et al.			
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	5,215,082	06/01/1993	Kallock et al.			
/R.D./	5,211,173	05/18/1993	Kallock et al.			

EXAMINER	/Roland Dinga/	DATE CONSIDERED	09/04/2008
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.			

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION <small>(Use several sheets if necessary)</small>			Docket Number: GUID.059PA	Application Number: 10/643,203
			Applicant: STAHHMANN et al.	
			Filing Date: 08/18/2003	Group Art Unit: 3766

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/R.D./	5,146,918	09/15/1992	Kallok et al.			
	5,123,425	06/23/1992	Shannon, Jr. et al.			
	4,830,008	05/16/1989	Meer			
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	US 2004/0030362 A1	02/12/2004	Hill et al.			03/12/2003
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	US 2003/0204213 A1	10/30/2003	Jensen et al.			04/30/2002
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FOREIGN PATENT DOCUMENTS						
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
/R.D./	1993	Young, T., Palta, M., Dempsey, J., Skatrud, J., Weber, S., and Badr, R., "The Occurrence of Sleep-Disordered Breathing Among Middle Aged Adults." <i>New England Journal of Medicine</i> (1993), 1230-5.				
	1998	Javaheri, S., Parker, T.J., Liming, J.D., Corbett, W.S., Nishiyama, H., Wexler, L., and Roselle, G.A., "Sleep Apnea in 81 Ambulatory Male Patients with Stable Heart Failure: Types and Their Prevalences, Consequences, and Presentations." <i>Circulation</i> 97, no. 21 (1998), 2154-59.				
	1996	Bradley, R.D. and Floras, J.S., "Pathophysiologic and Therapeutic Implications of Sleep Apnea in Congestive Heart Failure." <i>J Cardiac Failure</i> 2, no. 3 (1996), 223-40.				
	2001	Balaban, K., Cho, Y., Mongeon, L., Liu, L., Foldvary, N., Burgess, R. and Scharf, C., "Feasibility of Screening for Sleep Apnea Using Pacemaker Impedance Sensor." <i>NASPE</i> 2001.				
	2001	Garrigue, S., Bordier, P., Hocini, M., Jais, P., Haissaguerre, M., and Clementy, J., "Night Atrial Overdrive with DDD Pacing Results in a Significant Reduction of Sleep Apnea Episodes and QOL Improvement in Heart Failure Patients." <i>NASPE</i> 2001.				
	2000	Jais, P., Haissaguerre, M., Clementy, J. "Night Atrial Overdrive with DDD Pacing: a New Therapy for Sleep Apnea Syndrome." <i>NASPE</i> 2000.				
/R.D./	11/1999	Hilton, M.F., Bates, R.A., Godfrey, K.R., Chappell, M.J. and Cayton, R.M., "Evaluation of Frequency and Time-frequency Spectral Analysis of Heart Rate Variability as a Diagnostic Marker of the Sleep Apnea Syndrome." <i>Med Biol Eng Comput</i> 1999 Nov, 37(6), 760-9.				

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			Filing Date: 08/18/2003	Group Art Unit: 3766

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
/R.D./	09/28/99	Roche, F., Gaspoz, J.M., Court-Fortune, I., Minini, P., Pichot, V., Duvermney, D., Costes, F., Lacour, J.R., Barthelemy and J.C., "Screening of Obstructive Sleep Apnea Syndrome by Heart Rate Variability Analysis." <i>Circulation</i> 1999 Sep 28; 100(13):1411-5.	
	05/1996	Vanninen, E., Tuunainen, A., Kansanen, M., Uusitupa, M. and Lansimies, E., "Cardiac Sympathovagal Balance During Sleep Apnea Episodes." <i>Clin Physiol</i> 1996 May; 16(3):209-16.	
	09/1999	Shahrokh, Javaheri, "A Mechanism of Central Sleep Apnea in Patients With Heart Failure." <i>New England Journal of Medicine</i> , 1999 Sep; 341(13):949-54.	
	04/2003	Bradley, T.D., MD, Floras, J.S., MD, DPhil, <i>Sleep Apnea and Heart Failure, Park I: Obstructive Sleep Apnea</i> , <i>Circulation</i> , 2003; 107: 1671-1678	
↓	02/2002	Garrigue, S., MD <i>et al.</i> , <i>Benefit of Atrial Pacing in Sleep Apnea Syndrome</i> , <i>N. Engl. J. Med.</i> , Vol. 346, No. 6, pp. 404-412 (Feb. 7, 2002).	
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